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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 JOHNNY D. TURNER,

11 Plaintiff,

12 v.

13 PIERCE COUNTY SHERIFF, et al.,

14 Defendants.

Case No. C08-5449BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

15 This matter comes before the Court on the Report and Recommendation of the  
16 Honorable J. Kelley Arnold, United States Magistrate Judge (Dkt. 12). The Court having  
17 considered the Report and Recommendation, Plaintiff's failure to file objections, and the  
18 remaining record, does hereby find and order:

- 19 (1) The Court adopts the Report and Recommendation; and  
20 (2) This action is **DISMISSED** because Plaintiff has failed to state a claim.

21 DATED this 8<sup>th</sup> day of October, 2008.

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24 BENJAMIN H. SETTLE  
25 United States District Judge  
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ORDER